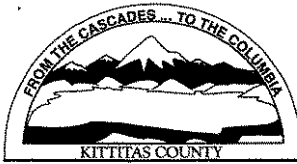


Kittitas Valley Wind PP
DEIS Comment – Local 1

Kittitas County
Community Development Services

411 N. Ruby St., Suite 2, Ellensburg, WA 98926
Phone (509) 962-7506 • Fax (509) 962-7682

Date: January 13, 2004

To: EFSEC

From: Derald Gaidos, Fire Marshal

RE: Comments on Kittitas Valley Wind Power Project DEIS

RECEIVED

JAN 13 2004

**ENERGY FACILITY SITE
EVALUATION COUNCIL**

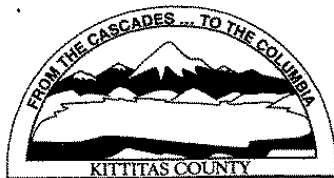
After reviewing the information provided I have the following comments and requirements. Additional comments maybe submitted prior to deadline of January 20, 2004:
These comments are for all three scenarios of the proposal.

Planning Phase:

- All of the proposed project scenarios lie in a extreme high fire hazard area as shown by the number of fires in the area in past years. Two state mobilized fires have been on the south end of the proposed area within the past eight years. These are the only two state mobilized fire every to happen in Kittitas County. 1
- FCC style communications study or appropriate study to ensure emergency responders communications shall not be derogated by the wind generators thus eliminating or reducing all communications on site by any emergency responders. 2
- FAA style lighting plan to prevent aircraft mishaps to limit fire response. 3
- To have an environmental clean-up company under contract to provide the needed services to protect the environment up and beyond the small incidents. This is to include planning, implementing and storing of all material consider to be harmful. 4
- Water supply for fire fighting at locations up and beyond the contracted fire districts shall be provided as part of the mitigation plan in an attempt to keep the fire in a manageable size incident. This can be mobile, above ground, underground or enhanced natural water supplies. 5

Construction Phase:

- Addressing of sites will be important to the ability of Emergency Services to provide services. All sites shall conform and be addressed according to Kittitas County Public Works Criteria prior to work starting on any stage of the project once approval is given. 6
- The sites may be outside of established Fire Districts and Hospital Districts thus not requiring emergency responses to sites. The proponents shall establish and have signed agreements in place to provide for emergency services, fire & EMS, with closest Fire/Hospital District or Department prior to work starting on any phase of the project once approval is given even if the sites are within fire district boundaries as to not impact taxpayers. Agreements will provide for Emergency Services for the workers and protect the adjoining property owners. 7
- All workers shall be given a fire prevention introduction prior to starting work on site that is approved by the Kittitas County Fire Marshal and Fire Chief of contracted Fire Department to reduce the chance of accidental fire starts and inform workers of severe dangers of wildfires. To include but not limited to: 8
 - Designated smoking areas.
 - Communications for emergency calls.



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- Fire Extinguisher use.
- Hand tool use.
- Required fire extinguisher and hand tools per vehicle and or piece of equipment.
- Muffler and or spark arrestor requirement of every vehicle on site.
- Required shut downs due to industrial fire precautions.
- Hot work limitations and fire prevention procedures.

8
cont.

Operational Phase

- The proponent and or operators of this facility shall establish and have signed agreements in place to provide for emergency services, fire & EMS, with closest Fire/Hospital District or Department prior to work starting on operational phase of the project. Before power is generated agreements must be signed with appropriate agencies. Agreements will provide for Emergency Services for the workers and protect the adjoining property owners. This agreement must be in place for the term of the project and is to be looked at regular intervals (no more than three years) to assess incidents and prevention measures.
- Before operation of this project a long term plan for fire risk reduction must be approved with Kittitas County Fire Marshal and effected fire districts for all aspects of operations.
- Once a year the proponent and or operators of this facility shall provide emergency contact information to the appropriate agencies.

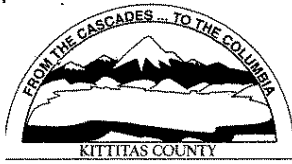
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If any questions arise, please call.

Derald Gaidos
Fire Marshal
509-962-7000
derald@co.kittitas.wa.us



Kittitas County
Community Development Services

411 N. Ruby STE 2
FAX: (509) 962-7697

Ellensburg, WA 98926
(509) 962-7506

Kittitas Valley Wind PP
DEIS Comment – Local 2

RECEIVED
JAN 20 2004
**ENERGY FACILITY SITE
EVALUATION COUNCIL**

January 15th, 2004

Irina Makarow, Siting Manager
EFSEC
925 Plum Street SE, Building 4
P.O. Box 43172
Olympia, WA. 98504-3172

RE: Comments on Kittitas Valley Wind Power Project DEIS

Dear Ms. Makarow:

Thank you for this opportunity to comment on the Draft Environmental Impact Statement for the Kittitas Valley Wind Power Project. I hope the following information is useful when providing additional information and detail for the DEIS.

- 1) On page *i* of the fact sheet EFSEC describes three different proposals for the KV Wind Power Project. In both the original application to EFSEC and subsequent application to Kittitas County the applicant only proposed one project with a maximum of 121 turbines with a maximum height of 410 feet. While changes from micro siting are inevitable, all project scenarios should have been discussed in the original applications submitted to both the State and County. If the applicant intends to proceed with 3 different scenarios then environmental studies should be detailed for all 3 in every aspect that SEPA requires.
- 2) On page *ii paragraph 1* EFSEC states that they are the only non-federal agency authorized to permit the proposed project. This is not true, as Kittitas County is also a non-federal agency authorized to permit this project. At this time the Desert Claim Wind Power project submitted by enXco, Inc. is being processed by Kittitas County. This paragraph should be taken out as it isn't true.

- 3) On page *ii paragraph 4* EFSEC states that they expect to send this project to the Governor in the Spring of 2004. This seems like an unrealistic timeframe considering the process EFSEC must go through prior to sending this project to the Governor. Until EFSEC receives all of the comments on the adequacy of the DEIS it would be difficult to assert how long the response document will take. Kittitas County still must hold hearings as well and we are relying on a solid defensible EIS so that the process moves forward as quickly as possible. This timeline should be updated once all DEIS comments have been received and EFSEC and Kittitas County can work out a more accurate timeline. An example of how timelines can be unrealistic would be Zilka's assertion in their application to EFSEC that they would be fully permitted by August 1st, 2003.

3

4) Chapter 1: Summary

- **(Page 1-1) 1.1 - paragraph 1.** EFSEC states that project will consist of between 82-150 wind turbines. The project application submitted to EFSEC and Kittitas County only asked for a maximum of 121 turbines, which still should be binding since no public comment was solicited on three separate scenarios. If 3 scenarios are to be proposed, then a full environmental assessment of all 3 scenarios should be completed prior to moving forward.
- **(Page 1-1) 1.1 – Introduction -paragraph 3.** EFSEC states that Shapiro did not perform additional studies during the preparation of the Draft EIS. This is an area of concern considering EFSEC received numerous comments on issues that needed to be addressed within the DEIS. From this statement my assumption would be that this DEIS is just a reformatting of the application submitted to EFSEC by Zilkha Renewable Energy in January 2003.
- **(Page 1-1 and 1-2) 1.2 – Purpose and need for project –** Throughout this section the need for additional power in the Northwest is discussed. The information is based off information provided by the Northwest Power and Conservation Council (NWPCC 2001). If this information is going to be used in the DEIS I think the DEIS should also stipulate that all power created for the KV Wind Power Project will be sold within Washington, Oregon, Idaho, and Montana. Discussions with representatives from Zilkha Renewable Energy had led me to believe that power created by this project would be a commodity sold to any interested party and may not be used by residents in the Northwest. If this is the case then the information in section 1.2 is useless and should be taken out. It is very misleading.
- **(Page 1-3) 1.3 – Decisions to be made - paragraph 1.** Sentence 1 states that this DEIS is being prepared to meet the environmental review needs of EFSEC. This sentence should be re-written to include that this DEIS is being written to meet the environmental review needs of all agencies with permit decisions and jurisdiction. As SEPA lead agency, EFSEC has a responsibility to produce a document that can be used by other agencies with jurisdiction. Kittitas County has jurisdiction since EFSEC found that this project is inconsistent with local land use. Sentence 2 states that EFSEC has jurisdiction over all of the evaluation and licensing steps for siting major energy facilities in the state of Washington. This is certainly not true as Kittitas County is currently processing a wind power project for enXco Inc. Kittitas County has full jurisdiction to review this project therefore that statement should be revised. Please note that in section 1.3-Project review by Kittitas County is not even mentioned as "Decisions to be made". Our review is actually a very important decision as described in RCW 80.50 and should be fully

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described within the DEIS as a process that needs to be completed prior to adjudication by EFSEC. Please include specific information on this issue.

- **(Page 1-3 and 1-4) 1.4.1 – Proposed action** – The proposed action should not exceed 121 turbines or further commenting on all three separate project proposals should be extended. Since the environmental studies were completed prior to Zilkha submitting their application to EFSEC in January 2003 and Zilkha was only proposing 1 project in their application, how could alternative A and C really have been studied thoroughly? Please include all the fieldwork completed for option A and C. If environmental studies have not taken place then they should not be reviewed as possible alternatives.

8
- **(Page 1-7) Table 1-2** – At the bottom of the table it states that EFSEC has single permit authority over all Washington State and local permits. This is simply not true and the sentence should either be revised or taken out. An example would be that EFSEC does not have authority over possible building permits that may be issued by Kittitas County.

9
- **(Page 1-8) 1.4.2 – Alternative Wind Turbine Locations** – Paragraph 1 states that the applicants' site is the only possible location for a wind power project and other locations have been dismissed because they do not meet the criteria a wind power must meet. This statement is untrue as Kittitas County is currently processing a wind power project for enXco Inc. and Zilkha is proposing a second project within Kittitas County. This paragraph makes no sense and should be taken out.

10
- **(Page 1-8 and 1-9) 1.4.3 – No action alternative** – EFSEC is certainly correct that the No action alternative would result in further subdivision of properties within the project area and uses as allowed within the Ag-20 and Forest and Range zones. What seems odd is the assertion that if this project is not built a gas fired combustion turbine facility would be built. That statement is wrong and should be taken out of the DEIS. If this project is not approved nothing may be built elsewhere, could be a solar facility, or somebody might decide to harness the power of the ocean. This should either be taken out or EFSEC should provide specific data on this issue. This section also refers to the "region's" need for power. Since the DEIS earlier had shown that this region consists of Washington, Oregon, Idaho, and Montana, can we once again assume that all power from this project will be sold within this 4 state area? If so, it contradicts earlier statements from Zilkha that power is a commodity and will be sold to any buyer who meets their needs.

11
- **(Page 1-9) 1.4.4 – Offsite alternatives** – In sentence 1 and 2 it eludes to the fact that EFSEC is looking at Offsite alternatives as a response to scoping comments. In our December 15th, 2003 meeting Ms. Irina Makarow stated that the project has been held up because Kittitas County among other things requested that Offsite Alternatives be included in the DEIS. If EFSEC was already going to review this issue because of scoping comments received, how did Kittitas County hold up the DEIS being issued? The statement in this paragraph seems correct but in sharp contrast to what was said on December 15th, 2003.

12
- **(Page 1-9 and 1-10) 1.5 – Summary of Public Involvement, Consultation, and Coordination** – This section is quite disheartening as EFSEC has pointed out every agency they have worked with during the application process but left out Kittitas County. Our involvement in the process including our coordination with EFSEC, the applicant, and the citizens of Kittitas County should be included within this section.

13
- **(Page 1-9 and 1-10) 1.5 – Summary of Public Involvement, Consultation, and Coordination** – This section is quite disheartening as EFSEC has pointed out every agency they have worked with during the application process but left out Kittitas County. Our involvement in the process including our coordination with EFSEC, the applicant, and the citizens of Kittitas County should be included within this section.

14

- **1.7 – Issues to be resolved**

(Page 1-10) 1.7.1 Wetland Impacts and Mitigation

Within this section it states *“the specific mitigation requirements to compensate for loss of wetlands and water resources at the project site is considered an issue of uncertainty that has yet to be resolved”*. That statement is unacceptable, as the reason for completing an EIS is to find out the amount of impact the proposed action will have within the project area. Since the applicant is now proposing 3 different possible project alternatives all 3 should be evaluated. As a reference tool I would refer to section 3.4.2.2 of the DEIS prepared for the Desert Claim Wind Power project. That section fully addresses possible impacts to wetlands within the project area and possible mitigation measures. This must be completed within the KV DEIS, as just stating that this is an unresolved issue does not for allow proper review of the project and possible impacts the project may have on the environment. This should not be difficult to complete since the amount of wetlands within the project area are minimal.

15

(Page 1-11) 1.7.2 Economic Effects of Lower and Upper End Scenarios

If all 3 scenarios are possible then they all have to be reviewed. Saying that the information is not currently available hints to the fact that this document may not be ready for preliminary review. Please have all 3 scenarios studied.

16

(Page 1-11) 1.7.3 Economic and Environmental Effects of Tourism

Although it is very difficult to gauge the amount of tourism this project could bring in some study should take place and mitigation measures should proposed. Please see section 3.12.2.2 of the DEIS prepared for the Desert Claim Wind Power project. This should be a good reference tool when preparing additional information for the DEIS. As stated above exact numbers of tourists will depend on a number of factors, but some information is needed and proper mitigation should be proposed. As is stated in section 3.12.5.2 of the DEIS prepared for the Desert Claim Wind Power project, a Tourism Management Plan should be completed prior to operation of the project.

17

(Page 1-11 and 1-12) 1.7.4 Impacts on Historical and Tribal Resources

Further onsite study should resolve this issue. Stating that this is an unresolved issue is unacceptable and further review is needed. After reviewing section 3.8 of the DEIS it seems that the methods for collecting information were not thorough enough to determine if this will be a significant unavoidable impact to the project area. Please see section 3.6 of the DEIS prepared for the Desert Claim Wind Power project. Within that section you will note that the entire project area was part of the field study which was conducted over a 3 ½ week period. In Section 3.8 of the KV Wind Power project DEIS I cannot even find where any fieldwork was conducted. Fieldwork should be completed prior to moving forward with this project so the above issues can be resolved and proper mitigation put in place.

18

(Page 1-12) 1.7.5 and 1.7.6 – Television and Radio Interference

In these sections it states that the potential effect of the project is not known but the applicant will work with the affected people. How will the applicant work with the affected people? How long do they have to work out the problem? Will the project be shut down until issues are resolved? Will EFSEC be involved in resolving individual issues with affected landowners? A plan should be put in place prior to operation, and possible mitigation should range from the application paying for satellite or cable services to removing towers that effect landowners. There must be specifics in place and the DEIS does not offer sufficient mitigation.

19

- **(Page 1-13) 1.9 Cumulative Impacts** – Paragraph 3 stipulates that cumulative impacts are required to be reviewed by SEPA regulations. During the agenda meeting on December 15th, 2003 with EFSEC, Ms. Irina Makarow stated that the DEIS would have been issued much earlier but Kittitas County slowed the process down by the requiring that the DEIS look at cumulative impacts and offsite alternatives. Since EFSEC is aware that SEPA requires that the DEIS review cumulative impacts, how did Kittitas County slow down the DEIS process? It would seem that we actually sped up the process by bringing the requirements of SEPA to your attention.

20

- **(Page 1-17 and 1-18) 1.9.6 – Land Use and Recreation** – The sentence *“The three projects would also require either Kittitas County approval for a rezone and Comprehensive Plan amendment, or EFSEC review and governor approval...”* should be revised. While it is true that if an applicant applies to Kittitas County for a Wind Resource Development Permit that they do not have to apply to EFSEC, the opposite is not true. When Zilkha applied to EFSEC they were found by EFSEC to be out of compliance with local land use. To resolve this they will still need to receive a zoning change, comprehensive plan change, development agreement, and development permit. Please revise this sentence to reflect this.

21

- **(Page 1-19) 1.9.11 – Air Quality** – Paragraph 3 – Last sentence should be removed because it is a very slanted statement without merit. If these projects are not built other wind projects may be built to avoid fossil fuel emissions or it could be solar, etc... These project not being permitted does not mean that other types of energy sources with high emissions would have to be built.

22

- **(Page 1-21) 1.10.2 – Visual Resources** – This paragraph does stipulate that visual impacts are significant and unavoidable which is true. All 3-project scenarios must be studied in order for the commenting public the opportunity to let EFSEC know how much impact each of the 3 scenarios will have on them. Would be impossible to gauge probable impact if we do not even know what kind of project will be going up.

23

5) Chapter 2: Proposed action and alternatives

- **(Page 2-1) 2.1 - Introduction** – Second Paragraph states that EFSEC is aware that SEPA requires that an EIS must address reasonable offsite alternatives. During the agenda meeting on December 15th, 2003 with EFSEC, Ms. Irina Makarow stated that the DEIS would have been issued much earlier but Kittitas County slowed the process down by the requiring that the DEIS look at cumulative impacts and offsite alternatives. Since EFSEC is aware that SEPA requires that the DEIS review offsite alternative, how did Kittitas County slow down the DEIS process? It would seem that we actually sped up the process by bringing the requirements of SEPA to your attention. The second paragraph looks really good. 24
- **(Page 2-17) 2.2.3 - Meteorological Towers** – Specific number of towers and locations are needed in order to assess if these will have an impact on the environment. How can they be looked at if the DEIS stipulates that the applicant has no idea where they will go. If the approximate locations are not shown on the project site plan then they will need an administrative conditional use permit for each tower (we could process them as one permit application). 25
- **(Page 2-20) 2.2.3 - Lighting** – As has been stated previously in this DEIS the lighting of the towers will have a significance effect on the environment. Just saying that the project will meet FAA regulations does not gauge the amount of effect it will have on the environment. Since 3 different scenarios have been proposed then this issue needs to be discussed in depth. Please see section 3.13.5.2 and figure 3.13-4 of the DEIS prepared for the Desert Claim Wind Power project. This should be a good reference tool when preparing additional information for the DEIS. As you will note in the Desert Claim DEIS the number of lights for the project has been determined and a map indicating the towers to be lit has been provided. This must be provided in this DEIS as well so the environmental impact can be gauged. 26
- **(Page 2-33) 2.5 - Description of no action alternative - No action alternative** – EFSEC is certainly correct that the No action alternative would result in further subdivision of properties within the project area and uses as allowed within the Ag-20 and Forest and Range zones. What seems odd is the assertion that if this project is not built a gas fired combustion turbine facility would be built. That statement is wrong and should be taken out of the DEIS. If this project is not approved nothing may be built elsewhere, could be a solar facility, or somebody might decide to harness the power of the ocean. This should either be taken out or EFSEC should provide specific data this issue. This section also refers to the “region’s” need for power. Since the DEIS earlier had shown that this region consists of Washington, Oregon, Idaho, and Montana, can we once again assume that all power from this project will be sold within this 4 state area? If so, it contradicts earlier statements from Zilkha that power is a commodity and will be sold to any buyer who meets their needs. 27
28
- **(Page 2-38) 2.6.2 - Alternative project sites considered by the applicant** – The first sentence of paragraph 3 should be removed because other site locations that are feasible have been identified (Wildhorse, Desertclaim). 29

- (Page 2-40) 2.7 – Consideration of offsite alternatives – The last sentence is incorrect as Wildhorse is available and being developed by Zilkha. Please revise that statement. 30
- (Page 2-54) 2.8 – Benefits or disadvantages or reserving project approval for a later date – I do not see a need for this paragraph to be included but if it is there should be some modification. First, it states that if this project is delayed our regional power needs will not be met. Again, this is indicating that any power from this project will be sold in Washington, Oregon, Idaho, or Montana. I have never heard the applicant say this is true. Please either state that all power will be sold in the Northwest or take out that information since it has no relevance. Also, as stated before please take out any information relating to a gas-fired power plant being built if this project is delayed. Simply not true, misleading, and unsubstantiated. 31
32
- 6) Chapter 3: Affect Environment, Impacts, and Mitigation Measures
- (Page 3.1-9) 3.1.2 – Impacts of proposed action – Construction impacts – Paragraph 6 states that materials on site may be crushed as backfill or road material. Rock crushing is not a permitted use in all zoning districts and the applicant may need permits from the county prior to completing any rock crushing activities. 33
- (Page 3.1-12 and 13) 3.1.3 – Impacts of No action alternative - EFSEC is certainly correct that the No action alternative would result in further subdivision of properties within the project area and uses as allowed within the Ag-20 and Forest and Range zones. What seems odd is the assertion that if this project is not built a gas fired combustion turbine facility would be built. That statement is wrong and should be taken out of the DEIS. If this project is not approved nothing may be built elsewhere, could be a solar facility, or somebody might decide to harness the power of the ocean. This should either be taken out or EFSEC should provide specific data this issue. This section also refers to the “region’s” need for power. Since the DEIS earlier had shown that this region consists of Washington, Oregon, Idaho, and Montana, can we once again assume that all power from this project will be sold within this 4 state area? If so, it contradicts earlier statements from Zilkha that power is a commodity and will be sold to any buyer who meets their needs. 34
35
- (Page 3.2-6) Table 3.2-1 Summary of habitats associated with the proposed turbine strings of the project – Since Zilkha prepared the information in this table prior to submitting their application I assume it was prepared with scenario B in mind. Since they have subsequently altered their project this information may or may not apply. Further all 3 scenarios should be reviewed since all 3 are being considered. It is inadequate if only one scenario is studied. 36
37
- (Page 3.2-8 and 9) 3.2.2 – Wetlands – Please make sure to reference KCC 17A –Critical Areas – within this section, as any mitigation will have to comply with our Critical Area ordinance. Please also refer back to my previous comments on wetlands, as further study is needed so that wetlands are not an unresolved issue. 38
39
- (Page 3.2-9) 3.2.2 – Wildlife and Habitat - Please make sure to reference KCC 17A – Critical Areas – within this section, as any mitigation will have to comply with our Critical Area ordinance. 40

- (Page 3.2-34) **3.2.3 - Fisheries** – When you are referring to water systems please make sure to include KCC 17A as the reference document.

41

- (Page 3.2-52) **3.2.4 - Impacts of No action alternative** - EFSEC is certainly correct that the No action alternative would result in further subdivision of properties within the project area and uses as allowed within the Ag-20 and Forest and Range zones. What seems odd is the assertion that if this project is not built a gas fired combustion turbine facility would be built. That statement is wrong and should be taken out of the DEIS. If this project is not approved nothing may be built elsewhere, could be a solar facility, or somebody might decide to harness the power of the ocean. This should either be taken out or EFSEC should provide specific data this issue.

42
43

- (Page 3.3-7) **3.3.3 - Impacts of No action alternative** - EFSEC is certainly correct that the No action alternative would result in further subdivision of properties within the project area and uses as allowed within the Ag-20 and Forest and Range zones. What seems odd is the assertion that if this project is not built a gas fired combustion turbine facility would be built. That statement is wrong and should be taken out of the DEIS. If this project is not approved nothing may be built elsewhere, could be a solar facility, or somebody might decide to harness the power of the ocean. This should either be taken out or EFSEC should provide specific data this issue that shows conclusively that a gas fired combustion turbine facility would be built.

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- (Page 3.4-3) **3.4.2 – Construction Impacts – Risk of Fire or Explosion** – In the second paragraph it states that the applicant is proposing a Fire and Explosion Risk Mitigation Plan. I would just add to that section by stating that the plan must be approved by the Kittitas County Fire Marshal and affected Fire Districts prior to operation of the facility.

46

- (Page 3.4-6) **3.4.2 – Operation and Maintenance Impacts - Risk of Fire or Explosion** - In the fourth paragraph it states that the applicant is proposing a Fire and Explosion Risk Mitigation Plan. I would just add to that section by stating that the plan must be approved by the Kittitas County Fire Marshall and effected Fire Districts prior to operation of the facility

47

- (Page 3.4-8) **3.4.2 – Risk of Turbine Tower Collapse** – Specific information should be given on how much area could be effected if a tower collapsed. I understand that within the mitigation section you are proposing the minimum setback to be at least the height of the tower from roads but no information is given on how you came to that conclusion. Please see section 3.8.2.1 (Page 3-145) of the Desert Claim Wind Power Project DEIS. Within that section is specific information designed to show the maximum distance a blade could be thrown. Data on this issue is important when considering setbacks from houses, roads, etc...

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49

- (Page 3.4-8) **3.4.2 – Risk of Turbine Blade Throw** – Specific research should be given outlining the maximum hazard area if a tower was to collapse. Please see section 3.8.2.1 (Page 3-146) of the Desert Claim Wind Power Project DEIS. Within that section is specific information designed to show the maximum distance a blade could be thrown. Data on this issue is important when considering setbacks from houses, roads, etc...An analysis should be completed on all 3 scenarios.

50

- (Page 3.4-16) 3.4.3 – **Impacts of No Action Alternative** – Please take out the second paragraph as the assumption is not correct. If you are going to leave this paragraph in please list every possible alternative that may result if this project is not approved.

51

- (Page 3.4-16) 3.4.4 – **Mitigation Measures – Fire and Explosion Risk Mitigation Plan** – The mitigation should include having an approved plan from the Kittitas County Fire Marshal prior to construct of the project. There should also be a second plan in place for operations, which would need to be approved by the Fire Marshal prior to project operations. There should be information available about the possible plan and how it relates to each of the 3 scenarios listed in the DEIS.

52

- (Page 3.4-22) 3.4.4 – **Mitigation Measures – Measures to minimize risk of tower collapse and blade throw** – Minimum setbacks from any road should equal 110% of the total structure height. An extra 41 feet would take out any risk of a tower falling on a traveled road regardless of if it is a public or private road.

53

- (Page 3.4-22) 3.4.4 – **Mitigation Measures – Measures to minimize shadow flicker effects** – A possible mitigation measure should include removing any towers that will cause shadow flicker effects at any receptor. Please make sure that all towers in each of the 3 scenarios are identified to show which are causing shadow flicker. If towers are not removed mitigation should be added that all improvements to effected homes should be completed before the project becomes operational.

54

- (Page 3.4-23) 3.4.4 – **Significant unavoidable adverse impacts** – I would add to this paragraph by stating that no unavoidable impacts will occur if the recommended mitigation is put in place.

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- As possible mitigation I would also recommend that the applicant set up a 24-hour hotline where any affected resident can call when experiencing problems with the project As EFSEC is lead agency for this project there should also be a number they can call where they can receive assistance if issues are not being resolved. I haven't found any information within the DEIS where it explains how EFSEC will be involved after the project is put in place. This is probably not the section but information on how EFSEC will monitor all mitigation and oversee the implemented of the project would be very useful.

56

- (Page 3.5-1) 3.5.1 **Affected Environment – Northwest Region Electricity** – Although the information within this section is interesting, it is only pertinent if the applicant plans to sell its power to people within the Northwest (Washington, Idaho, Oregon, Montana). From my conversation with the applicant this does not seem to be the case therefore the information is very misleading and should be removed.

57

- (Page 3.5-4) **Table 3.5-2: Proposed Generation Projects in Washington** – This table clearly shows that there are a number of different types of energy currently being proposed within Washington State, therefore any reference to the no action alternative resulting in a gas fired combustion plant being constructed should be removed from the document.

58

- (Page 3.5-13) **Impacts of the No action alternative** – Please remove the second paragraph for the same reasons as have been pointed out throughout my comments.

59

- (Page 3.5-13) **Impacts of the No action alternative** – Please remove the second paragraph for the same reasons as have been pointed out throughout my comments.

60

- (Page 3.6-2) Existing Land Use – I would add Single Family Residences or Rural Homesites to the list of land uses within 1 mile of the project site. 61
 - (Page 3.6-7) Figure 3.6-3 – Map is not correct, as U.S Forest Service lands do not extend to all of the areas included on the map. If you need assistance with this information, I would contact the Kittitas County GIS Department. 62
 - (Page 3.6.12) Impacts of the No action alternative – Please remove the second paragraph for the same reasons as have been pointed out throughout my comments. 63
 - (Page 3.6-13) Consistency with Plans and Policies – State of Washington - Consistency Discussion – Please add that the project was submitted to Kittitas County on June 16th, 2003 instead of June 2003. Further, as always I have complete information on the process that the applicant will go through to gain consistency with Kittitas County per KCC 17.61A. I would be happy to provide the information in either a written form or as an outline, whichever is easier when preparing the response document. 64
65
- So that the same information is not repeated the *consistency discussion* on pages 3.6-13 through 3.6-20 should better outline the process the applicant must go through in order to gain consistency. As stated above I have information and outlines available to be added that clearly shows the application process as outlined in KCC 17.61A. 66
- Within each of these sections I also did not see any reference to the applicant needing a development agreement and development permit to go along with the Comprehensive Plan change and rezone. The development agreement and development permit have been applied for and will be part of the consolidated hearing process Kittitas County will hold once EFSEC provides Kittitas County with detailed information in response to the DEIS comments. 67
- Please also make sure to add that the project was submitted to Kittitas County on June 16th, 2003 since it relates directly to the inconsistency finding by EFSEC on May 1st, 2003. 68
- (Page 3.7-22) 3.7.3 Impact of No Action Alternative - Please remove the second paragraph for the same reasons as have been pointed out throughout my comments. 69
 - (Pages 3.8-1 through 3.8-8) Cultural Resources - After reviewing section 3.8 of the DEIS it seems that the methods for collecting information were not thorough enough to determine if this will be a significant unavoidable impact to the project area. Please see section 3.6 of the DEIS prepared for the Desert Claim Wind Power project. This should be a good reference tool when preparing additional information for the DEIS. Within that section you will note that the entire project area was part of the field study that was conducted over a 3-½ week period. In Section 3.8 of the KV Wind Power project DEIS I cannot find where any fieldwork was even conducted. Fieldwork should be completed prior to moving forward with this project so the above issues can be resolved. 70

Section 3.8.6 (Significant unavoidable adverse impacts) on page 3.8-8 states that there is a possibility of unavoidable adverse impacts. Field studies should be completed before proceeding any further with this project so cultural resource sites can be properly located, evaluated, and proper mitigation added to the DEIS. I think it is a great idea to have an archeologist on site during construction but mitigation and identification should already have taken place.

71

- **Section 3.9 -Visual Resources**– After reviewing the information in this section it seems all of the information is based off studying 1 of the possible 3 scenarios the applicant is proposing. All 3 scenarios must be studied in depth so that a valid determination may be made as to whether this project will have a significant adverse impact. All discussion, tables and mitigation should be put together for each scenario.

72

- **(Page 3.9-26) – 3.9.3 Impacts of the proposed action** – In paragraph 4 it explains that a table illustrating the comparative levels of visual impacts has not been prepared. Information along with the table should be prepared; as it will outline the level of impact each scenario will have on the environment. If all 3 scenarios are a possibility then all 3 should be studied equally. The information given is not sufficient.

73

- **(Page 3.9-27) – 3.9.3 Impacts of the proposed action – Construction impacts - Light and Glare** – In this paragraph it outlines that some late evening work may need to occur onsite. I assume since no times are given that nighttime work will not exceed 10pm as outlined in other areas of the application. If the applicant plans on working later than 10, it should be explicitly stated in the application so it can be evaluated during the decision making process.

74

- **(Page 3.9-47) – Light and Glare – Light** – In the first paragraph the DEIS refers to a letter from the FAA stating this project will not interfere with aviation operations. After reviewing that letter it clearly states that the information they are giving is based off of towers with a maximum height of 350 feet above ground. Since the turbines may extend up to 410 feet above ground the letter from the FAA to Zilkha renewable energy isn't valid and more information should be obtained.

The letter also states *“This information is based, in part, on the frequency description which includes specific coordinates, heights, frequencies and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to height, power, or the addition of other transmitters, requires separate notice to the FAA”*.

75

The information on page 3.9-47 that looks at lighting is invalid based upon the information in the letter from the FAA. Further, when new information is obtained for the DEIS response; it should include information on all 3 scenarios as they all must be evaluated.

Please see section 3.13.2.2 of the DEIS for the Desert Claim Wind Power Project. In that section you will find information and maps showing the proposed lighting plan. With that information Kittitas County and interested parties are better able to gauge the impact such lighting will have.

- Since the Kittitas Valley Wind Power project has 3 scenarios, each should have separate sets of information put together including a lighting plan for each. 75 cont.
- (Page 3.9-48) 3.9.4 - Impact of No Action Alternative - Please remove the third paragraph for the same reasons as have been pointed out throughout my comments. 76
 - (Page 3.9-51) 3.9.6 – Significant Unavoidable Adverse Impacts – Since proper study of lighting as it relates to the 3 proposed scenarios has not been completed, we have yet to see if there is a significant impact. It sounds as if the conclusion is that this issue will be a significant impact but further study will allow a true conclusion to be made. 77
- The last sentence of the paragraph should be removed, as it doesn't make sense and is certainly not true. 78
- (Page 3.9-50 and 51) - 3.9.6 – Significant Unavoidable Adverse Impacts – As part of the additional mitigation measures it should be noted that additional setbacks could alleviate unavoidable impacts regarding aesthetics (visuals). On page 3.9-48 it mentions that not building the project would alleviate the impacts and that is discussed within the No Action Alternative section but further discussion is warranted. Mitigation that certain towers be removed from the project to alleviate visual impacts certainly does not mean the project cannot be built. EFSEC should identify which towers under each of the 3 scenarios are causing the greatest impact and mitigation should include that those towers not being placed within the project area. Since each of the 3 scenarios proposes different tower heights, the setbacks would be different for each. If significant impacts are found to be within ½ mile of turbines that are 410 feet tall, then the DEIS should identify which towers would need to be removed in order to alleviate this impact. The setbacks would most likely be less in the scenarios where the turbines are shorter. Please provide this information and include it within the mitigation section. Please see section 3.10.5 (Mitigation Measures) on page 3-223 of the Desert Claim DEIS. 79 80 81
 - (Page 3.10-16) – 3.10.2 – Impacts of the proposed action – Aviation hazards – The information in this section is no longer valid and new information will need to be obtained from the FAA. After reviewing that letter it clearly states that the information they are giving is based off of towers with a maximum height of 350 feet above ground. Since the turbines may extend up to 410 feet above ground the letter from the FAA to Zilkha renewable energy isn't valid and more information should be obtained. 82
- The letter also states *"This information is based, in part, on the frequency description which includes specific coordinates, heights, frequencies and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to height, power, or the addition of other transmitters, requires separate notice to the FAA"*. 83

Since the DEIS lists 3 scenarios for this project all 3 will have to be evaluated. This should have been completed prior to DEIS issuance since this letter from the FAA was issued in 2002 and the project is significantly different at this time.

83

I have attempted to find each instance where the letter from the FAA is being used as official DEIS information. If any areas are missed I am requesting that the letter from the FAA and reference to it be taken out and new information obtained before the project proceeds any further. It is misleading and should not be included.

84

- (Page 3.10-18) 3.10.3 - **Impact of No Action Alternative** - Please remove the third paragraph for the same reasons as have been pointed out throughout my comments. 85
- (Page 3.11-10) 3.11.4 - **Impact of No Action Alternative** - Please remove the second and third paragraphs for the same reasons as have been pointed out throughout my comments. 86
- (Page 3.12-17) 3.12.3 - **Impact of No Action Alternative** - Please remove the second and third paragraphs for the same reasons as have been pointed out throughout my comments. 87
- (Page 3.13-15) 3.13.2 - **Impact of the proposed action – Communication Services** – In the second paragraph the DEIS says that microwave disruption is not known for the lower or upper end scenarios and that the applicant will study this prior to the project being built. This issue should be studied at this time as part of the DEIS since the DEIS is a tool used for helping to make a decision on the project and is used to assess possible impacts of the project. This should be studied prior to the DEIS response being issued to determine if there are any impacts associated with the 3 project scenarios. 88
- (Page 3.13-16) 3.13.2 - **Impact of the proposed action – Radio interference** – In the second paragraph of the section it says *“To date, information regarding the frequency spectrum of electrical noise generated by the wind turbine generators at locations surrounding the generator has been requested from the Applicant, but has not yet been provided.”* Why was the DEIS issued if this issue had not yet been addressed by the applicant after EFSEC had requested that this be investigated as part of the DEIS? The paragraph goes on to say that this is an unresolved issue but is addressed in section 3.13.4 with mitigation. How can mitigation be implemented when the item in question has not been studied yet? Radio interference information should be completed for the DEIS response so all interested parties can gauge whether this is a significant environmental impact. The mitigation offered in 3.13.4 is unacceptable as all 3 scenarios need to be studied for the DEIS response. The purpose of the DEIS is to collect this type of information. 89
- (Page 3.13-17) 3.13.2 - **Impact of No Action Alternative** - Please remove the second paragraph for the same reasons as have been pointed out throughout my comments. 90
- (Page 3.13-18) 3.13.4 - **General** – For item 2 it should be stated that this would just be part of the fire protection operation plan. As stated before the project could have an operation plan which would be implemented prior to construction beginning and an operation plan implemented prior to operation. For item 3 please add that rescue and emergency response information would be relayed prior to construction beginning. 91
92

- (Page 3.13-19) 3.13.4 – Fire Protection – Can information be placed in this section regarding the size of the gravel area around the turbines as being part of the fire mitigation plan? 93
- (Page 3.13.20) 3.13.4 – Communication Services – As stated previously, the proposed mitigation is not sufficient. EFSEC asked the applicant for information on this subject and it was not provided. Studies to determine if there will be an effect must be completed before the decision making process or it defeats the purpose of completing an EIS. Please provide a full report on all 3 scenarios for the DEIS response. 94
- (Page 3.13.21) 3.13.4 – Additional Recommended Mitigation Measures - Communication Services – Additional mitigation should include that based off of upcoming studies on communication services it may be necessary to remove certain tower locations if they cause an unavoidable impact. 95
- (Page 3.13.22) 3.13.5 – Significant unavoidable impacts – I do not understand how the conclusion of this section can that no unavoidable impacts will result from the project when all of the studies have not been completed. All information on all 3 scenarios must be completed before the DEIS response if this conclusion is to be made. 96
- (Page 3.14-2) 3.14.3 – Wild Horse Wind Power Project – In the first sentence the words ...to construct, own, and operate... should be replaced with ...to submit an application to EFSEC and Kittitas County in order to construct, own, and operate... The way it is worded now makes it seem as if the project has already been approved even though it hasn't been submitted yet. 97

7) Other Issues:

The DEIS does not mention how the project will be decommissioned, the means for decommissioning, and the impacts of decommissioning under the 3 scenarios mentioned in the DEIS. This issue needs to be included within the DEIS. Mitigation should also outline procedures for decommissioning individual turbines that are not being used. An example could be mitigation requiring the applicant to remove any turbine(s) that is not operation during a 1-year period. 98
99

Although this project is a siting issue for EFSEC it is a Land Use issue for Kittitas County. Kittitas County cannot proceed with our hearing process until an adequate document is received that covers all of the requirements of SEPA. As stated in my comments, I believe there are a number of areas that have not been properly studied and therefore an analysis of project impacts cannot be properly stated in the DEIS. 100

Attached is a copy of the DEIS submitted for the Desert Claim Wind Power Project so it can be used as a reference tool when preparing response information.

Please let me know if you need any assistance or information for the response document.

Sincerely,



Clay White
Planner II
Kittitas County Community Development Services
(509) 962-7506

cc: James Hurson, KC Deputy Prosecuting Attorney
File

Kittitas Valley Wind PP
DEIS Comment - Local 3



KITTITAS COUNTY
DEPARTMENT OF PUBLIC WORKS

Paul D. Bennett, P.E., Director

20 January 2004

Mr. Allen Fiksdal
EFSEC Manager, SEPA Responsible Official
P.O. Box 43172
Olympia, Washington
98504-3172

RECEIVED
JAN 20 2004
**ENERGY FACILITY SITE
EVALUATION COUNCIL**

RE: Draft Environmental Impact Statement (DEIS) comments for Kittitas Valley
Wind Power Project

Dear Mr. Fiksdal:

Thank you for this opportunity to submit comments on the DEIS for the Kittitas Valley
Wind Power Project submitted by Sagebrush Power Partners L.L.C., a wholly owned
subsidiary of Zilkha Renewable Energy. The intent of this letter is to comment on the
DEIS and how it addressed the concerns of this department as described in my 12
March 2003 scoping comments regarding this projects impact on behalf of the Kittitas
County Department of Public Works and Bowers Field.

I have included my original scoping comments as a starting point in my review of the
DEIS. My comments concerning the DEIS are in bold print.

- Impacts of tourism on County Roads Specifically Hayward Hill Road and Bettas
Road.
 - **You state that this is an unknown at this time. Although the specifics
are unknown there have been numerous wind farms built and the
impact of tourism are known. Identify what mitigation was included
at these locations and see how they may apply to this windfarm and
then suggest trigger points for implementation of those mitigations.
Saying we don't know what the impacts are makes it difficult to
accurately assess the impacts.**
- Emergency access along Hayward Hill Road.
 - **You state that you are negotiating with Fire District 1 on the upgrade
of the southern Portion of Hayward Hill Road for emergency access.
Although it is important to seek input from the emergency services
provider, the Public Works Department has the responsibility for the
County Road System. Fire District 1 is not authorized to agree to any
negotiations regarding the upgrade of the road. No specific**

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4/10/04

improvements are included in the DEIS. I suggest specific details be include as to the width, surfacing, and drainage be included in the DEIS or agree that the Southern Portion of Hayward Hill will be upgraded in accordance with Kittitas County Road Standards. The specifics could be worked out with Public Works during the drafting of the Development agreement

3

- Transportation impacts along SR10.
 - SR10 is not mentioned in your document at all and the potential impact to primitive county roads. How will the wind farms impact SR10 and what will you do to direct traffic away from the southern section of the primitive road, and what will you do if significant tourist traffic does start using the road. I would say significant traffic would be that amount of traffic that would eliminate the ability of the county to call Hayward Hill road a county road; an ADT count of 100 Cars a day or more. Please address alternatives
- Access impacts along SR97, SR10, Bettas Rd, Hayward Hill Road.
 - I believe the DEIS adequately addresses the access issue along Bettas Road and The Northern entry of Hayward Hill Road.
- Ice impacts to transportation safety.
 - The DEIS addresses ICE throw.
- Traffic Management Plan addressed prior to approval.
 - The applicant proposes no mitigation should the county rods begin to fail due to an excessive number of over-legal loads or mitigation for improving the road system to handle large loads. Specific mitigation may be needed to improve and or widen the intersections to allow for a safe and adequate turning radius for the vehicles. The applicant proposes to maintain the northern section of Hayward hill to equal or better than it is today. Today the road is adequate to handle the volume of traffic and the loads it currently handles. It is not adequate for the increased construction load and O&M traffic. The applicant should propose a specific improvement to adequately handle the anticipated traffic. A 24-26 foot wide gravel road with sufficient gravel structure and appropriate drainage may be adequate. The current state would not be adequate. As Hayward Hill is a public road the applicant may not restrict the flow of traffic except for short (20 minutes) for construction. Although the county does not presently plow in the winter, the road is never closed to public use.

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- Air Space Studies and the impact on current and proposed Approaches and Departures for Public and Private airfields in the County.

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- I'm going to break this section into several areas, tower height, approaches and lighting.
 - Approaches and Departures – This is not addressed in the DEIS. I consider this a fatal flaw to the DEIS. There exist around Bowers field a series of boundaries that address airspace requirements for different varieties of aircraft based upon size and approach/departure speeds. These towers may or may not have an impact as to the future use of the airport. By including that analysis in the report a determination can be made if there is or is not an impact and proposed mitigation. By not addressing the issue we leave a question unanswered that could have profound impacts on both the wind farm and the airport. The same analysis was requested from the Desert Claim wind farm application. The impacts were clearly delineated as well as several options for mitigation. Although there has been no recommendation or decision on the best course of action to take, the information is complete for reasonable people to make a reasonable decisions. Please modify the DEIS to include an analysis of the approaches and departures to Bowers Field. A no impact decision could be made as easily as including an overlay of existing VFR traffic for A, B, C, and D aircraft and an analysis of the impacts on instrument approaches. 9
 - Tower height - The original application stated the towers would be approximately 410 feet tall from ground to fully extended blade tips. The studies completed by the FAA were for towers with a total height of 350 feet and although the FAA has stated these structures do not exceed obstruction standards, the FAA did not have the opportunity to review two of the three proposals. Since three alternatives are proposed then the aeronautical studies for all three alternatives should be complete prior to ending the comment period. 10
 - Lighting – The FAA comments that lighting should be in accordance with FAA Advisory Circular 70/7460-1 AC70/7460-1K, Obstruction Marking and Lighting, a med-dual system – Chapters 4,8 (M-Dual), &12. The DEIS has a lighting proposal but I don't see an approval of the proposal from the FAA. 11
- Include copies of completed Aeronautical Studies previously completed, 28 October 2002.
 - Addresses the 350 tower proposal but no the other two proposals. 12
- Impacts to Air Traffic Communications.
 - Not addressed. 13
- Traffic Studies at access point and the impact from residents, maintenance, construction and tourism.

Local Agency Letter 3

Dept. of Public Works
Page 4

- **Addressed, With the exception of road maintenance and upgrade and tourism impacts stated elsewhere in this document the access points are addressed.** 14
- Storm water analysis is lacking. 15
 - **Appears to have been addressed.**
- Specifically identify where underground and overhead lines are projected. Use a smaller scale. The project scale does not allow for thorough analysis. 16
- Future uses of maintenance roads. Is there a possibility they can be used as residential access routes through the leased property. 17
 - **Addressed, no comment.**
- Consider any accident data in transportation analysis. 18
 - **Adequately addressed.**
- Include Drawings and Calculations in development of the Storm Water Prevention Plan (SWPP). 19
 - **To be provided at a later date.**
- Decommissioning bond in FY 2029 dollars. 20
 - **Addressed but no specific amount is identified. More specificity is required so the development agreement doesn't have to wrestle with the issue. What instrument will the bond be in, the amount, when is the bond submitted, etc.**
- Winter Maintenance impacts on roads that are currently closed for the winter. 21
 - **See comments above.**

Sincerely,

Paul D. Bennett, P.E.
Director of Public Works

cc: Clay White, KCCDS Planner

Original copy sent my mail on 20 January 2004

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Kittitas Valley Wind PP
DEIS Comment – Local 4

Six So. Second St., Suite 1016, Yakima, WA 98901
Phone (509) 834-2050, Fax: (509) 834-2060
<http://www.co.yakima.wa.us/cleanair>

January 20, 2004

Mr. Allen J. Fiksdal, EFSEC Manager
State of Washington EFSEC
P O Box 34172
Olympia, WA 98504 - 3172

Dear Mr. Fiksdal:

Even though we are late with our response, please consider our comments. Please note that local regulations apply to projects subject to your proposed rule. For example, YRCAA regulations for submittal of a plan to, and approved by YRCAA, said plan to effectively control dust from site preparation, construction and landscaping phases of any facility is required per §3.08 of YRCAA Regulation.

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Also, §3.07.F, G and H of YRCAA Regulations require an asbestos survey and report to be filed with YRCAA for any demolition and renovation of any structure within projects under your jurisdiction. Other review, permit, control or mitigation requirements of federal and state clean air acts are better known, and appear to be addressed.

2

Thank you for considering our comments. If you have any questions please feel free to call me, Gary Pruitt or Charlie Stansel at (509) 834-2050.

Sincerely,

A handwritten signature in black ink, appearing to read "Les Ornelas".

Les Ornelas
Air Pollution Control Officer

cc: Gary Pruitt, YRCAA Compliance Officer
Charlie Stansel, YRCAA Planner

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JAN 22 2004

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